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NTSB AUTHORIZATION

HEARING

BEFORE THE

SUBCOMMITTEE ON AVIATION

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

FIRST SESSION

ON

NATIONAL TRANSPORTATION SAFETY BOARD AUTHORIZATIONS

MARCH 4, 1987

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AUTHORIZATION OF NTSB

WEDNESDAY, MARCH 4, 1987

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
SUBCOMMITTEE ON AVIATION,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m. in room SR-253, Russell Senate Office Building, Hon. Wendell H. Ford presiding.

Staff members assigned to this hearing: Steve Palmer and Harris Livingstain, professional staff members; and Gerri Hall, minority professional staff member.

OPENING STATEMENT BY SENATOR FORD

Senator FORD. Good morning, ladies and gentlemen. Yesterday, I introduced legislation to authorize appropriations for the National Transportation Safety Board for fiscal years 1988-90. Our bill is virtually identical to the authorization bill unanimously approved in the late stages of the 99th Congress. Unfortunately, that legislation was vetoed by the President, who claimed that it would have authorized excessive spending levels.

S. 623 will insure funding for the critical operations of NTSB, allowing it to conduct accident investigations and issue safety recommendations for the aviation, rail, motor carrier, marine and pipeline industries. These are critical efforts aimed at insuring that Federal, State and local governments, as well as private transportation industries, do all they can to provide an adequate margin of safety for the traveling public.

Today, the Chairman of the Safety Board, Jim Burnett, will testify on behalf of this authorization request for the coming three years. It is my sincere hope that following today's hearing, the Commerce Committee will act quickly to report out this legislation, in order that we can get the Board back on track and assure their funding. I would hope that this time our legislation will be supported by the President.

I am hoping, since we have had hearings last year and basically understand most of the NTSB's concerns, that Chairman Burnett will just bring us up to date on any changes that have occurred since then.

Senator Hollings has asked that I include his statement in the record.

[The statement follows:]

OPENING STATEMENT BY THE CHAIRMAN

Mr. Chairman, we have before us legislation which is of utmost importance. The National Transportation Safety Board is an independent Federal agency which is mandated the primary responsibility of determining the probable cause of transportation accidents and formulating recommendations designed prevent their recurrence.

Approximately a month and a half ago, this Committee held two days of hearings on aviation safety. During these hearings we were reminded of the fact that every effort must be made to ensure our air transportation system is safe. Chairman Burnett's testimony contained numerous recommendations that would assist us in meeting this goal. Similarly, last month, this committee held hearings regarding rail safety in the aftermath of the Conrail accident last December. There again, Chairman Burnett delivered testimony which contained several recommendations to improve the safety of our rail transportation system. These recommendations, however, do not come free. They are the result of thorough and intense investigations of accident sites.

Last year President Reagan vetoed H.R. 4961, an authorizing bill which unanimously passed both the House and Senate. This veto was critical because on September 30, 1986, the existing authorization legislation for the NTSB expired. President Reagan based his veto on the belief that the appropriations authorized in H.R. 4961 were excessive. I can assure this Committee the President was misinformed. We can't afford to pinch pennies when we are dealing with the safety of the traveling public.

Recent accidents in aviation (Cerritos, California) and rail (Conrail outside Baltimore, Maryland) manifest the need to maintain adequate funding of the NTSB. The NTSB must be assured the resources required to properly investigate these types of accidents. Although tragic in nature, these accidents become a source of valuable information which can be used to prevent future tragedies. However, only if the NTSB authorizing legislation is passed and funding assured will it be able to utilize its expertise and transform the tragedy of these accidents into positive results.

The NTSB is mandated with a formidable responsibility. If we fail to adequately fund this agency we would not only threaten its ability to meet the challenge of its mandate, but also threaten the continued safe operation of our Nation's transportation system.

Senator FORD. So with that, I want to thank the Chairman for his appearance here today as well as the assitance he has provided the subcommittee in the past, and I look forward to working with him closely in the future.

Mr. Chairman, if you will come forward, we will proceed with the hearing this morning.

STATEMENT OF HON. JAMES E. BURNETT, CHAIRMAN, NATIONAL TRANSPORTATION SAFETY BOARD; ACCOMPANIED BY PETER KISSINGER, MANAGING DIRECTOR

Mr. BURNETT. Thank you, Mr. Chairman.

Mr. Chairman, it would be my request that I submit my prepared statement for the record. I had also planned to make brief comments on some of the Safety Board's accomplishments since we last came before this committee for authorization, but my voice is very weak this morning, and I believe I would save it for responding to the committee's question and also present that very short statement of accomplishments for the record.

Senator FORD. Mr. Chairman, it will be included in the record and I fully understand. I am in the same position. I do not know how you came by yours, but I came by mine naturally.

So, Mr. Chairman, you may proceed.

Mr. BURNETT. Mr. Chairman, among the things that the Safety Board has been able to do in the last year has been to participate very fully in the investigations of two space-related accidents. One is, of course, the investigation of the Challenger. The Safety Board's expertise and reconstruction of parts that have failed was crucial to the determination of that accident investigation and, in fact, I think was available nowhere else in the government. We were very pleased to be able to assist NASA with that effort as well as the Air Force with the investigation of the Titan missile. In both cases, I think our participation was a necessity and was no where else available.

We have also participated and developed important safety recommendations coming out of a couple of foreign investigations, one of which is the Japan airlines 747 situation in which changes in inspections at least have been made and in some cases structural changes.

We have also participated in the British 737 investigation involving a fire on takeoff resulting from an engine failure. That engine involves the JT-8D engine which is the one in most common use in this country and throughout the world for air transport of passengers. There have been a lot of improvements in the inspection and maintenance procedures on that engine as a result of that investigation and others that we have conducted in relation to the JT-8D.

That, I think, illustrates the importance of fully authorizing our request and fully appropriating us at the levels at which we hope we will be authorized, because those are the type of accident investigations that are basically discretionary with us. Our participation in foreign investigations will have to be dropped if we cannot operate at the 347 FTC level that we have requested for many years.

We have also had some substantial progress in some investigations in surface transportation safety, one of them being a lot of improvements in the interstate pipeline systems in the State of Kentucky, Mr. Chairman. They have been made as a result of our investigations of the Lancaster and Beaumont investigations in your state as well as major improvements in the transportation of munitions for the Departmet of Defense as a result of a couple of accident investigations that we have been involved in relating to munitions transportation.

With that brief statement, Mr. Chairman, I will submit all the rest that I have for the record.

[The statement follow:]

STATEMENT OF HON. JAMES E. BURNETT, CHAIRMAN, NATIONAL TRANSPORTATION SAFETY BOARD

Mr. Chairman, Members of the Committee, I want to thank you for your prompt consideration of a bill to authorize the National Transportation Safety Board for fiscal years 1988, 1989 and 1990. I know I speak for my Board colleagues and the staff when I express my gratitude for the support this Committee has provided our activities.

The three year authorization package you have proposed is similar to the one we submitted last year. This proposal is for fiscal years 1988, 1989 and 1990 vice 1987-1989 because we have already been appropriated for 1987. Also, the funding levels have been adjusted accordingly.

As you know, Mr. Chairman, we reviewed our activities in depth during last year's authorization hearing, so I will not take up the Committee's time to reiterate this in-

formation. Instead I will confine my remarks basically to a discussion of the provisions in the proposed legislation.

GENERAL AUTHORIZATION

The National Transportation Safety Board is requesting authorization levels of $26.2 million for fiscal year 1988, $27.5 million for fiscal year 1989, and $28.8 million for fiscal year 1990. These funding levels exceed last year's requests for fiscal years 1988 and 1989 in order to cover large, uncontrollable increases in our costs for several items. For example, from 1987 to 1988 space rental will increase some $300,000, the cost for the new retirement system will increase some $400,000 and travel costs will increase about $100,000. These resources will allow the Board to maintain the same level of staff that we requested last year, which was 347 full-time equivalent (FTE) positions.

Also, I would like to emphasize that over the past six years our appropriation requests have been based on the rationale that we could fulfill our statutory mandate with 347 FTE. Furthermore, to put this in its proper perspective, I should point out that in FY 1980 we had slightly over 400 employees. Since then we have eliminated nonessential activities and increased the economy and efficiency of our operations such that we can accomplish our Congressional mandate with only 347 employees. However, since this is a minimum level, we cannot operate below that level without sacrificing essential activities, including reduction in the scope of accident investigations and safety promotion activities.

EMERGENCY FUND

In FY 1982 the Congress provided the Safety Board with a $1 million emergency fund to allow us to meet our accident investigation responsibilities if our regular appropriation proved inadequate. Because of the fluctuating nature of transportation accidents and their costs, the Congress provided a funding mechanism to cover extraordinary circumstances.

Since the fund was established we only had to use it once to assist in the recovery of portions of the wreckage of the Air India Boeing 747 that crashed in the ocean off the cost of Ireland in June 1985. Had we not had the emergency fund, this $291,000 expenditure could not have been made without major disruptions to our regular programs. The expenditure of these funds was necessary to find the cause of the Air India accident because of the number of Boeing 747s in service, and because there was another Boeing 747 accident in Jap an at approximately the same time which could have been related.

This emergency fund assures that there always will be sufficient funds available to conduct thorough accident investigations and to identify and recommend needed safety improvements, particularly in years in which there is a large number of catastrophic accidents. However, the Safety Board will use this fund only when it determines that an accident investigation is required in the interest of public safety and there are no other funds available to perform the work. There was no such need between FY 1982 when the fund was established and FY 1985 when the fund was used for the first time.

The Board will provide to the appropriate committees of Congress a full accounting of its use of this emergency fund. Congress, therefore, will be kept abreast of and be able to monitor closely the Board's utilization of the fund.

ELIMINATION OF NOTICE REQUIREMENTS

Section 304(a)(2) of the Independent Safety Board Act of 1974 required the Safety Board for the first time " . . . to cause notice of the issuance and availability of such reports [of each accident investigated by the Safety Board] to be published in the Federal Register: . . ." Section 307(a) of that Act also required the Safety Board for the first time to " . . . cause notice of the issuance of each such recommendation and of each receipt of a response thereto to be published in the Federal Register, . . ."

We are requesting deletion of these requirements to reduce the cost of Safety Board operations and to eliminate government paperwork which does not provide an essential or useful public service. This deletion would not affect the mechanisms by which the legislative intent of this requirement currently and successfully is being fulfilled.

The cost of placing these required notices in the Federal Register are approximately $25,000 per year. In addition, it is estimated that ten percent of one staff year is required to prepare such notices. These costs could be eliminated if the legislative requirements for notification were deleted.

Escalating costs and the absence of evidence of any significant use or value derived by the public from publication of these notices in the Federal Register twice caused the Board to reduce the scope of such notices over the years. Originally, the notice consisted of short summaries of accident report facts and findings and of recommendation and recommendation response contents. Several years later, the notices were reduced to publishing the titles of the accident reports, the verbatim recommendations only and a one sentence characterization of the responses received. More recently, the recommendation and response notice has been reduced to chart form with key words used to identify the content of the recommendation and response.

No public comments or objections have been received following each reduction. Further, Board staff receives relatively few inquiries or requests for further information about accident reports, recommendations or recommendation responses identified as having been prompted by Federal Register notices, although the Board receives a total of over 16,000 such inquiries each year. In summary, the Board believes that publication of this information in the Federal Register is one of the least effective techniques it uses to inform the public of its activities and of significant transportation safety issues.

Among the techniques which the Board believes are successfully fulfilling the public notification purpose intended by the mandated Federal Register publication requirement are the following:

1. Press releases are issued on all major accident reports and related safety recommendations.

2. Paid subscriptions for receipt of all accident reports and safety recommendations are available through the National Technical Information Service.

3. A free subscription to a quarterly summary of significant Safety Board publications is available.

4. Copies of individual safety recommendations issued by the Board and recommendation responses received are available on request from the Board's Public Inquiries Section.

The Board is now using these techniques and would continue to rely on them instead of publication in the Federal Register. In addition, we would place a notice in the Federal Register several times a year describing the availability of these methods for keeping informed of the issuance of NTSB publications and how to use them.

PAYMENTS FOR GOODS AND SERVICES

From time to time, the Safety Board is requested by federal agencies, or state, local or foreign governments to provide certain services. For example, the Board's laboratory is world renowned for its investigative expertise on cockpit voice recorders and flight data recorders. As a result, foreign governments and U.S. military forces frequently ask the Board for services and assistance with recorders in connection with accidents they are investigating. The Board always has been willing to furnish those services without charge to the foreign government and U.S. military forces, but we do incur costs in providing such assistance. Since the net effect of providing these services is a diminution of the Board's resources, the Board believes that it should have the authority to recoup these costs at least in those cases where the agency or U.S. military forces offer to pay for these services.

Each year the Board voluntarily investigates a number of accidents involving aircraft that are owned or used exclusively by federal, state or local governments (public use aircraft). Unlike accidents concerning civil aircraft which the Board must investigate, the Board is not required to investigate accidents involving public use aircraft. However, upon request, such as in the case of the Challenger shuttle tragedy, the Board will assist if at all possible. The benefits of our participation are high quality investigations by an objective organization with unique skills for identifying problems and recommending corrective action.

In view of continued tightening of the Board's resources, we may have to abandon these types of activities. The authority to provide such services at a reasonable cost and the ability to apply the funds received to current appropriations would enable the Board, minimally, to continue to offer these valuable services.

TRAINING SCHOOL

The NTSB conducts an accident investigation school at the Transportation Safety Institute (TSI), at Oklahoma City, OK. The primary purpose of this school is to train NTSB employees in accident investigation techniques and methodology. However, we receive a substantial number of requests from foreign, state, and local government and transportation industry officials to attend this school. We attempt to honor these requests whenever possible, because such trained officials can provide us with valuable assistance when we are investigating accidents involving their organizations.

Also, the Safety Board is a small organization with a limited number of employees in the various specialized areas. It is difficult to be able to get enough NTSB employees together for a given training course. Therefore, if the Safety Board allows non-NTSB employees to attend the courses we can hold the courses at more frequent intervals which effectively meets our needs and provides an important public service. However, since the courses primarily are for our benefit, we do not allow more than fifty percent non-NTSB participation.

Most of the courses we conduct at our accident investigation school use NTSB instructors from our Washington headquarters office. In addition to the cost of salaries, travel and per diem for the NTSB instructors, we also incur considerable overhead costs to run the school, including payments to TSI and FAA for the use of their facilities and resources.

Currently we charge non-NTSB students a fee of $1,500 for a two-week session. This fee will be adjusted to cover the administrative overhead for the school. However, at present any fees collected must be deposited in the General Fund of the Treasury and cannot be used to defray the cost of training the non-NTSB employees. The tuition fees received will be approximately $75,000 annually, which is about one-third of the direct costs necessary to run the school.

Therefore, we request the authority to apply to our appropriations any tuition funds collected from non-NTSB students attending our accident investigation school. The requested authority would extend to the Board authority similar to that currently available to the Department of Transportation (49 U.S.C. 1354(d)).

Mr. Chairman, that completes my formal statement. I would be pleased to answer any questions you and the other Committee Members may have.

Mr. Chairman, you have a copy of my formal statement, and I would like to request that it be made a part of the record. Instead of reading the written statement, I would like to comment on some of the Safety Board's accomplishments since we came before this committee last year to discuss our authorization proposal.

Before I begin, I would like to introduce to you Mr. J. Peter Kissinger, Managing Director of the Safety Board.

Undoubtedly the most visible activity of the Safety Board last year was the accident investigation work several members of our staff accomplished with regard to the *Challenger* shuttle accident.

The day after the tragic explosion, officials of the National Aeronautics and Space Administration asked the Safety Board to participate in the investigation—the first time we have done so for space flight.

NASA requested our assistance because of the Board's extensive experience with major aircraft accidents involving inflight fires, explosions, aerodynamic breakups, analysis of radar tracking data, collision with water, deep water salvage techniques and the follow-on reconstruction and analysis of wreckage. All these elements eventually came into play in that investigation.

Our expertise in reconstruction as a means to detect failure sequence played a major role in determining the probable cause of the shuttle accident, and we are very proud to have been able to contribute to this determination.

Utilizing this same expertise, we were able to assist in the probable cause determination of a U.S. Air Force Titan rocket explosion in April 1986. Examination of a similar Titan 34D revealed a weakness at almost exactly the same place the scenario indicated the failure had occurred on the accident rocket. This discovery should have the effect of preventing such a failure in future launches, and we believe the time devoted to this investigation had a very positive result.

We have reaped significant accomplishments in foreign accident investigations as well.

For example, the investigation of the Japan Airlines Boeing 747 accident near Tokyo, which took five hundred twenty lives, has led to widespread modifications of hardware and airplane inspection programs following safety recommendations issued by the Board.

The investigation activities of the British Air Tours Boeing 737 accident at Manchester, England have led to improved inspection, maintenance and operational practices for airplanes with Pratt & Whitney JT8D engines. These improvements were a direct result of the Board's investigative interface with foreign accident investigation authorities.

We feel very strongly that these types of activities produce significant safety payoffs. We will be able to continue these investigations if we are authorized at our requested level of three hundred forty-seven FTE.

Another accomplishment of which we are particularly proud resulted from a study the Safety Board issued in 1986 on the use of lap-only belts in rear seats of automobiles. Analyzing data acquired from twenty-six automobile accident investigations, we found that in some types of accidents, rear seat occupants using a lap belt suffered serious injuries, induced by the belt itself, that would not have occurred if they had been using a lap/shoulder belt. There is no doubt that a combined lap/shoulder belt is the best form of seat belt protection. Thus, we recommended that all cars be fitted with lap/shoulder belts in the back seats.

The Board is pleased and encouraged to note the affirmative response we have received from the automobile manufacturers, both in terms of making available retrofit kits for the current models that do not have lap/shoulder belts in the back and in gearing up to include them in newly manufactured automobiles. Within the next few years, we hope that virtually all newly manufactured cars will include lap/shoulder belts in the rear seats.

Yet another safety benefit we take some credit for accomplishing is an improvement in the transportation of military munitions. The public's exposure to munition shipments has doubled in recent years.

Our investigation of an accident near Denver resulted in the Department of Defense taking specific actions to increase the safety of military munitions transportation. For example, all DOD shipping installations now are required to have emergency telephones staffed twenty-four hours a day, and the shipping papers must include the emergency telephone number for the installation that initiated the shipment. Furthermore, recommendations resulting from that investigation prompted DOT to expedite action for establishing improved standards for drivers of vehicles transporting certain hazardous shipments.

Just yesterday the Safety Board approved a report of another munitions accident that occurred near Checotah, Oklahoma in August 1985.

The accident involved the transport of ten two thousand pound bombs, some of which exploded following a collision between the bomb-laden truck and an automobile.

The NTSB recommended a Federal requirement to protect the most highly dangerous explosives carried on highways from fire—protection such as insulated coatings and/or thermal shields designed to extend the evacuation time of persons in threatened areas. The Board also urged DOD to toughen its requirements on recent experience and traffic violations for drivers of explosive shipments.

Finally, the Board urged the DOD to move expeditiously in a planned program to establish its own safety requirements for munitions shippers and monitor their compliance.

The Safety Board and staff are very proud of our accomplishments, and we believe we have contributed significantly to overall transportation safety. There are some goals we have not accomplished, however, and there is much left to be done.

One that looms high on our list of priority items to accomplish is a requirement for cockpit voice recorders [CVR] and flight data recorders [FDR].

The Safety Board has urged for many years that CVRs and FDRs—the so-called black boxes—be required on all commuter and multi-engine, turbine-powered general aviation aircraft.

Our concerns were underscored by three fatal commuter airline accidents we investigated in the last eighteen months. All three—the Bar Harbor, Henson and Simmons Airline accidents—involved controlled flight until ground impact. Examination of the airplane wreckage and navigational aids did not uncover any problems that appeared to cause these accidents.

Unfortunately, without CVR and FDR data, we will never know with certainty what was going on in those cockpits when these apparently airworthy aircraft were flown into the ground.

Mr. Chairman, this is an issue we have brought before you before—and as recently as January this year—but I can't stress enough its importance to accident investigation and prevention. Working with you and your capable staff, we hope to add this to our list of significant accomplishments.

That completes my informal comments. I would be pleased to respond to your questions.

[The following information was subsequently received for the record:]

QUESTIONS OF SENATOR DANFORTH AND THE ANSWERS

Question. If additional air traffic controllers are made part of the controller work force, where should those controllers be assigned in order to get the maximum system-wide benefit from their hiring?

Answer: The FAA should assign new controllers to the lower traffic density facilities which then would permit the relocation of more experienced controllers to the mid to high traffic density facilities.

Question. In August, NTSB issued a report concerning rear seat belts. The National Highway Traffic Safety Administration has criticized the report as concerning too small a sample of accidents. How do you respond to these criticisms? Do you agree with my proposal to require lap/shoulder belts in all newly manufactured cars?

Answer: The Safety Board's report, "Performance of Lap Belts in 26 Frontal Crashes," was in fact much more than a detailed account of the 26 frontal crashes involving lap belted occupants (plus one crash involving all lap/shoulder belted occupants and three crashes involving all unrestrained occupants, for comparison). The report also documented the history of knowledge concerning the poor performance of lap-only belts—the engineering knowledge, the medical knowledge, and the knowledge of both auto makers and the Department of Transportation. Thus, the Board's conclusion—that lap-only belts are not only inadequate crash protection but may also (at least in some types of crashes) be hazardous in themselves—was based on a wide range of historical evidence, not just on the crashes we had investigated. Even so, the Board could not, and did not, conclude that lap-only belts should not be used. Given the serious inadequacies in the currently available databases, the Board felt that reliable evidence on the net effect of lap belt use is simply not at hand. That, of course, has disturbed a number of individuals and organizations, including the National Highway Traffic Safety Administration, which uses these data bases for evidence of lap belt effectiveness. A more detailed discussion of the problems in the State and Federal accident data bases, which render them inappropriate for lap belt effectiveness estimates, is attached (Attachment 1).[1]

The Board strongly supports your proposal that the NHTSA should require auto manufacturers to provide rear seat lap/shoulder belts in new vehicles. Given the fact that these have been required in several countries for several years, and that quite a few foreign auto makers voluntarily have provided them for many years, the Board is concerned that NHTSA has still not issued even an early stage rulemaking proposal, as recommended by the Board last August.

[1] The attachment was not reproducible and is in the Committee files.

QUESTIONS OF SENATOR KASSEBAUM AND THE ANSWERS

Question. Please explain the reason for the substantial increase in the funding levels requested for fiscal years 1988 and 1989 in the legislation we are considering today compared to the amounts requested last session. What has changed:

Answer: Since last session, there have been substantial and uncontrollable increases for such items as the recent general pay raise, the new Federal Employee Retirement System, space rental, and travel allowances which have caused the increase in the funding levels requested.

Question. Given the fact that tapping into the $1,000,000 emergency fund almost never has been necessary, do we still need this provision?

Answer: Yes, we feel that the Safety Board should be provided the continuing authority for a $1 million emergency fund, with the funds to remain available until expended, and with funds to be replenished when used.

In FY 1982 the Congress provided the Safety Board with a $1 million emergency fund to allow us to meet our accident investigation responsibilities if our regular appropriation proved inadequate. Because of the fluctuating nature of transportation

accidents and their costs, the Congress provided a funding mechanism to cover extraordinary circumstances.

Since the fund was established we only had to use it once to assist in the recovery of portions of the wreckage of the Air India Boeing 747 that crashed in the ocean off the coast of Ireland in June 1985. Had we not had the emergency fund, this $291,000 expenditure could not have been made without major disruptions to our regular programs. The expenditure of these funds was necessary to find the cause of the Air India accident because of the number of Boeing 747's in service, and because there was another Boeing 747 accident in Japan at approximately the same time which could have been related.

This emergency fund assures that there always will be sufficient funds available to conduct thorough accident investigations and to identify and recommend needed safety improvements, particularly in years in which there is a large number of catastrophic accidents. However, the Safety Board will use this fund only when it determines that an accident investigation is required in the interest of public safety and there are no other funds available to perform the work. There was no such need between FY 1982 when the fund was established and FY 1985 when the fund was used for the first time.

This emergency fund should be a continuing fund, which is maintained at the $1 million level through replenishments when funds are used. By restoring the emergency funds as they are expended and before they are depleted completely, Congress will guarantee that sufficient funds will be available continuously to cover unexpected, urgent needs arising from catastrophic transportation accidents. The Board will provide to the appropriate committees of Congress a full accounting of its use of this emergency fund. Congress therefore, will be kept abreast of and be able to monitor closely the Board's utilization of the fund.

Question. How has the FAA responded to your recent (February 1987) recommendations concerning the alarming conditions at O'Hare International Airport in Chicago?

Answer: The FAA has not responded to the Safety Board's safety recommendations that were issued on February 6, 1987, concerning air traffic control operations at Chicago O'Hare International Airport.

The FAA has 90 days in which to respond.

QUESTIONS OF SENATOR MCCAIN AND THE ANSWERS

Question. Are you aware of the situation at Grand Canyon National Park relating to aircraft safety?

Answer: Yes. The Safety Board has identified safety related problems at the Grand Canyon National Park. These problems were identified during our investigation of a Las Vegas Airlines accident involving a sightseeing flight that occurred on August 17, 1983, and a midair collision involving two scenic air tour aircraft that occurred on June 18, 1986.

Question. Are you personally familiar with a report of your Board published in 1984 following a crash at the Canyon calling for some form of control over sightseeing flights around the Park?

Answer: Yes. The accident which occurred on August 17, 1983, involved a Las Vegas Airlines sightseeing flight that crashed in the Grand Canyon. After that accident the Safety Board issued the following recommendation to the Federal Aviation Administration (FAA):

Examine the operating procedures used by Grand Canyon sightseeing tour operators and, if necessary, develop and publish standards for operating procedures, including route selection, flight scheduling, and altitude selection for sightseeing flights in the Canyon, and require that operators incorporate these standards in their operations specifications. A-84-52

Initially, the FAA response was classified as "Open-Acceptable Action." However, during the investigation of the midair collision that happened June 18, 1986 between Grand Canyon Airlines and Helitech, Inc., the Board was unable to determine if the

FAA ever planned or carried out such activities. Final consideration of this accident by the Board occurred March 17, 1987, and the recommendation was, at that time, classified "Closed-Unacceptable Action."

Question. Is it your agency's opinion that the FAA's current action is a proper response to this report?

Answer: In response to our findings regarding a midair collision involving two scenic tour aircraft that occurred over the Grand Canyon on June 18, 1986, the FAA issued Notice of Proposed Rulemaking (NPRM) "Proposed Special Flight Rules in the Vicinity of the Grand Canyon." The notice proposes a Special Federal Aviation Regulation (SFAR) to establish temporary procedures for the operating of all aircraft in the airspace above the Grand Canyon up to an altitude of 9,000 feet above mean sea level. The Safety Board has responded in favor of the proposed SFAR in a letter dated January 12, 1987. In addition, the Safety Board supports the final rule scheduled to take affect upon the expiration of the SFAR. However, the Safety Board is concerned that for the rules proposed in the NPRM to be effective: (1) adequate staffing at the Las Vegas Flight Standards District Office (FSDO) should be available to provide the necessary oversight required by the rule change and (2) the FAA and National Park Service must cooperate to insure the necessary altitude and route separation standards are maintained.

Question. Further, do you believe that a truly effective safety response would involve all aircraft in the immediate area (sightseeing as well as general aviation and any other commercial aviation in the vicinity)?

Answer: Yes, an effective safety response should involve all aircraft operating over the Grand Canyon.

Senator FORD. Thank you very much, Mr. Chairman. I have several questions, and I may give you only two or three so that you may respond in writing and save both our voices this morning.

What areas of transportation safety do you expect the Board to emphasize in the coming weeks?

Mr. BURNETT. Well, we have so many to select from, and that is always a difficult question. We continue to be concerned with the crashworthiness of all types of vehicles.

Of course, we have the Chase, MD accident investigation ongoing in which we have several issues of railroad safety that we are revisiting, but I think after the Chase accident we may get some substantial reform as a result of the public concern that has obviously been built in that area.

We have some ongoing concerns right now about the safety of the air traffic control system which has been caused by several midair collisions and also some runway incursions, the latest collision being one that occurred a few days ago in Los Angeles where a Continental 727 struck a Cessna on takeoff. Fortunately, the 727 was already airborne, and its landing gear is what struck the Cessna. It managed to overfly it successfully and flew on to Houston without incident, but it was a very close call and is another example of many close calls that we have seen.

We have very recently issued recommendations that have not been responded to at this point by the FAA dealing with the safety of air traffic control operations at perhaps our Nation's most critical air traffic control facility, which is O'Hare Airport in Chicago.

So those are among the areas that we are actively involved in at this time.

Senator FORD. We are on the verge of making a decision in this committee, and this is a very important question for me, Mr. Chairman, as it relates to drug and alcohol abuse. We are hearing a great deal about drug and alcohol abuse in the cockpit, rail cab and in other transportation industries.

To what extent has the Board found drug and alcohol abuse to be a contributing factor to accidents?

Mr. BURNETT. Well, it differs somewhat from transportation mode to transportation mode. Alcohol and drug abuse is undoubtedly the major cause in highway accidents, fatal accidents. It is documented to be around 55 percent, the best estimate that is available.

Senator FORD. Are you including automobiles?

Mr. BURNETT. Automobiles, but that also extends to professional operations like trucks, and we are looking at that very intensely right now. No one really has good documentation on that, but we know enough to know that it is a substantial problem even among the commercial drivers.

Of course, the use of drugs in the trucking industry for fatigue-related and night operations to either go to sleep or to be able to stay awake is a problem.

We have seen it as a major problem in railroad accidents, and we do now have a federal rule in place that at least keeps that from being swept under the rug anymore.

In general aviation, we find alcohol involvement in 10 percent of the fatal accidents, but about 5 percent of the air taxi and commuter-type operations are fatal accidents in those operations involve alcohol use. We have never found it in a major carrier situation with the exception of one Japanese airline's cargo flight which involved a U.S. pilot that occurred in Anchorage.

I do not think, however, that we should be terribly reassured by that because the fact is that we have gotten alcohol tests on relatively few major carrier pilots in the last 10 years, and we have not even been looking during that period of time for drugs. The drug testing capability is something which has developed rather recently, so I do not really think that that proves that there is no problem in those industries.

Senator FORD. If I listen to your testimony, however, the major air carriers probably have less problems than the others that you mentioned?

Mr. BURNETT. Well, it is probable that because of the professionalization of that industry there is less there, but the consequences to mass numbers of people when you do have a problem is very obvious.

So I certainly want to the public to understand that. I think there is a program in place to prevent them from being endangered by alcohol or drug-involved pilots, but I do not think that it is adequate at this point.

Senator FORD. I have found in the hearings and in other conversations a new term, and that is "false positive". How adequate is the testing, Mr. Chairman, if we get into random testing or other testing? How efficient or how confident can we be in testing?

Mr. BURNETT. I think if it is done right, and I want to emphasize that that is a big "if", we ought to be able to have a high degree of regard for the testing.

Mr. Chairman, frankly, I do have a great deal of reservation when we are talking about doing random testing that might involve 1.1 million government employees plus hundreds of thousands of others in the transportation industries whether or not the Nation's establishment of chemists are going to be capable of doing that many tests and doing them right and not having a number of false positives that will injure a lot of people, creating a backlash against the whole concept of drug testing.

I was convinced by the Federal Railroad Administration, and now the DOT seems to have abandoned that approach which they convinced me is the right one, that we ought to focus our testing on people who have had proven performance problems. For instance, in the area of aviation that might be a pilot who deviates from air traffic control instructions or in some way violates some other regulation, that in the course of investigating that we ought to run drug and alcohol tests.

For the railroad employee, if the crew runs through a signal and an officer of the railroad observes that, they should be tested as part of the investigation as to why that happened.

So that you, in effect, would be testing a much more limited number of people, but I think because you are focusing on those who have demonstrated some performance problem, you would probably have a greater deterrent effect than just trying to go out and massive test once a year or once every two years or whatever everybody who operates in the transportation system.

I feel that I have been out in the forefront and sometimes very much alone in trying to emphasize the danger that alcohol and drugs present to our transportation system. On the other hand, I think that we have to be very careful that we do not overreact and in the process of an overreaction we build a backlash that is going to undermine a basically sound program.

So I certainly am not in disagreement with any of those people who say we have to do more than we are now doing in order to eliminate this threat to the public safety.

Senator FORD. It is a hard question for me to answer in my own mind as it relates to random testing, false positives. You hear the stories about eating a hamburger with poppy seeds on it or whatever, and that person takes a test, and all of a sudden they are tested positive. I am not sure of all that because I have not talked to a chemist, and I think maybe I need to get into that arena, but it is something that bothers this Senator.

Let me move on to another item. We kind of left hanging in one of our hearings here how much authority the FAA might have as it relates to jursidiction over medical evacuation helicopters. I understood, and I have not seen it, that probably the FAA has no jurisdiction if it is a municipally or governmentally-owned operation, that they lack the authority. Is that true?

Mr. BURNETT. I think most of those which we have seen, at least the ones that we have under investigation, are in fact Part 135 commercial operators. There may be, however, some people operating in that environment who are not subject to FAA jurisdiction or have not subjected themselves in some way to FAA jursidiction. So it is potentially a problem but maybe not one as big as we had previously thought.

The Safety Board is looking at several of those accidents, and we are going to, of course, report on those. We have under consideration a special study to look at them.

Mr. Chairman, I am somewhat concerned, again, that we may have a bit of an overreaction in the process. There is an increasing number of those accidents. I do not think we want to alarm the American public unduly, especially those who are already sick and have to be evacuated by an EMS helicopter who, because they have heard some of these press reports, the one chance to save their life terrifies them at a time when they do not need to be terrified.

So I think it is well that we do a very close study of this without trying to hype the issue at this point.

Senator FORD. The General Accounting Office issued a report on public aircraft last year, as you know, and one of the items which GAO said Congress should consider is requiring the NTSB to investigate accidents involving these types of aircraft.

Do you not investigate those accidents?

Mr. BURNETT. We do not investigate them if they are actually public use aircraft. Now, many of them are connected with a public hospital, for instance, and they would not be subject to our investigation.

Now, our previous policy has been that when any public use operation asks us to investigate their accident we do so, but Mr. Chairman, there is a very real possibility that in the coming year and the next fiscal year with the levels at which we may be appropriated we may no longer be able to do that sort of thing, which is optional for us to do.

If we are going to be required to do public use aircraft, which would mean we are doing a whole lot that we are not doing now because in many cases they do not ask us, do not want anybody else to know how their accident happened or think that they can investigate it themselves, as is often the case with police agencies, then we would have to have substantial additional numbers above the 347 authorization levels that we are requesting here today.

Frankly, even if the authorizing committees authorized us at those levels, we have real reservations about whether or not we would be appropriated at the levels that would sustain that.

Senator FORD. Let us move on to another item. In light of the fact that a major cause of the 1985 Delta accident in Dallas was attributed to wind shear, how would you judge FAA progress toward the development and installation of terminal Doppler radar systems?

Mr. BURNETT. Well, over the number of years that the Safety Board has been concerned about that, I would not give the FAA necessarily high marks; however, I think within the last two or three years they have moved as rapidly as they can toward completion of the Doppler

system and that, in fact, the system is now, with some software problems that may still be unresolved, should be ready to go. It is basically a matter of finding the public resources that are necessary to implement the Doppler radar in all the airports where it would be helpful.

The decision as to how many Doppler radar systems we can afford is going to be one that is beyond the Safety Board and is one that involves tremendous amounts of money.

Another thing that the FAA has—I think within the last week, they announced the completion of a training package that is going to be provided to the airlines to help better train their personnel on how to avoid wind shear and how to fly through it in case they fail to avoid it. This is, we view, also a very positive step.

The fact is, Mr. Chairman, right now nothing in a major way has been done that has increased up to this point the actual safety of the flying public. We have gotten a lot of things ready, but at this point the public is not substantially safer than we were several years ago.

However, I think that with the implementation of some of these training programs, perhaps this summer we will see substantial increases in safety.

Senator FORD. One quick question here and then I will turn it over to my colleague.

You are requesting funding for 347 full-time positions, which to me does not seem to be adequate. I am sure you feel the same way I do. If funding levels fall below the $26.2 million authorized level which you have requested for fiscal year 1988, how will the agency offset those reductions?

Mr. BURNETT. Excuse me, Mr. Chairman. When I gave my statement, I failed to introduce Mr. Peter Kissinger, who is Managing Director of the Safety Board, and I will let him respond to that question.

Senator FORD. Fine, and if you want to stay in that general area, I want to ask a couple of follow-up questions, Mr. Kissinger.

Mr. KISSINGER. Basically, it will mean we will have to do a whole lot fewer investigations and safety studies. We will put a lot less emphasis on following up on the recommendations. As the Chairman had previously mentioned, we will have to cut back in those areas where we have some discretion at all, foreign investigations, incident investigations, public use aircraft.

All in all, it will mean that we will have a whole lot less flexibility in order to stay ahead of the problems, and we will become much more reactive.

Senator FORD. The general thrust of the authorization bill which you proposed is to allow greater recovery of funds from outside sources.

Will the application of those funds, as well as other savings to the Board's annual appropriations—isn't this the indication that you need every penny you can get?

Mr. BURNETT. Yes, Mr. Chairman, it is.

Mr. KISSINGER. I might point out that the amount of funds that we're requesting to be reimbursed for are very modest, I think, by today's standards.

I mean, in the case of the Oklahoma City provision for our training facility, we're looking at perhaps a maximum of $75,000 to $100,000 a year that we would be reimbursed.

In the case of eliminating the provision for us to continue to put notices in the Federal Register, we're talking about saving $25,000.

I think both of those are indications of how tight our budget has become.

Senator FORD. We in 1987 authorized a level of $24 million which of course was rejected by the President. The appropriations committee provided only $22.2 million. How did you make up the shortfall? Or should I ask, did you have any way, or did you make up any of the shortfall?

Mr. KISSINGER. Well, first of all, we have requested from OMB for a supplemental budget for this year $762,000, which would bring us up just slightly over $23 million. In order to make up the shortfall, we have had to cutback 20 percent this year for overtime, and incentive awards, we have had to reduce 40 percent of our permanent change in station moves for our employees.

And we've had to virtually eliminate all of our equipment purchases which in the past years have enabled us to keep abreast of investigative technology in the laboratory and in our microcomputer network.

So it hasn't been very easy to do what we've done.

Mr. BURNETT. Mr. Chairman, for instance, the cuts that we made in overtime, the impact on our field accident investigations in that case is that our investigators cannot do as thorough investigations as they otherwise would do.

So we do the same number of investigations, but quality undoubtedly has to be affected.

Senator FORD. And the technology, as I understand it, Mr. Kissinger, you don't have a chance to pursue that to stay close to the state of the art; is that correct?

Mr. KISSINGER. That's correct.

Senator FORD. Fine. I thank you, Mr. Chairman and Mr. Kissinger.

Senator Kasten, do you have any questions for the Chairman?

Senator KASTEN. Mr. Chairman, thank you.

My understanding is that there is a difference, particularly in 1988 and 1989, in the budget that you're submitting today as opposed to the budget that you submitted in the last Congress; that there's an increase in the funding levels requested for 1988 and 1989, in the legislation that we're considering today, compared to the amounts that were requested last session.

Could you explain that difference, please?

Mr. KISSINGER. Certainly. Quite simply, we've grossly underestimated the cost of the new retirement system. For example, from fiscal year 1986 to 1988, we are seeing—we are going to realize an $800,000 in the retirement system to our agency that we're going to have to pay.

We also, for example from 1986 to 1988, were looking at pay raise increases that will cost us some $500,000. And in other uncontrolled expenses, for example, in space, even though we've reduced the amount of space that we rent from GSA, our rent is going up.

And the travel per diem, the new per diem regulations, mean that our travel expenses are going up. Both of those, space and travel, for example, from 1986 to 1988, are going to go up almost a million dollars; $950,000.

Senator KASTEN. Was there a change in the retirement system or a change in the pay scale that took place between when you submitted the last budget?

Mr. KISSINGER. Yes, this is the new retirement system for those employees that have come on board since January 1, 1984.

And the agency contribution used to be 11 percent under the old system. Under the new system, it's 18 percent. It's a 60 percent increase. And quite frankly, I think we're not alone. I think most agencies underestimated what the cost of that new system was going to be.

Senator KASTEN. Mr. Burnett, you asked that the FAA respond to your recommendations concerning difficult and some would say alarming conditions at the O'Hare International Airport in Chicago.

First of all, could you characterize or describe the situation there as you found it in your report?

And then, secondly, what specifically has the FAA done in response to your report which I believe was dated last month?

Mr. BURNETT. Let me take the second part first. They have not officially responded to us at this point. They have said publicly that they are looking and evaluating the situation, and had evaluations ongoing even before we made our recommendation.

The situation that we found there when we did a special team look last year at O'Hare tower was that, first, they are short of full performance level controllers, shorter than they should be to be able to adequately, we feel, handle the traffic there.

A full performance level controller is one who has been qualified to work at all the positions they have, so you'd get maximum flexibility in how your controller is used.

Those who are not yet full performance level controllers have to go through a process of being trained on all the positions; and it's difficult for the FAA to get them trained, because they are so busy there that they do not have the time to do the on-the-job training.

The FAA has a hard time attracting people to work in O'Hare, because of the high pressure situations that exists at the tower facility there, and also, apparently, the cost of living and other influences make living in that area not as attractive to some controllers they would like to recruit as perhaps some other facilities that compete for personnel.

Among the recommendations that we made to the FAA was to make a realistic assessment of the ability of the staff they have there to handle the traffic that is coming in to O'Hare, and to limit the traffic in a way that they can be sure that the staff they do have available can handle it.

The reason we're concerned about that is that we've seen much evidence that it can't be properly handled. We've seen numbers of operational errors and near midair collisions, and near runway collisions at O'Hare that have exceeded numbers that we find at other comparable facilities.

And we believe that's an indication of a problem that exists there that has to be corrected.

Unfortunately, there are not any easy short-term corrections other than an adjustment of traffic levels. And of course the impact of adjustment of traffic levels on the nation's air transport system, by doing that at O'Hare, is going to be very radical.

Senator KASTEN. When do you expect the FAA to respond to you? Is there a specific response time——

Mr. BURNETT. They're required to respond to us within 90 days. And so they still have some time yet to do that, and to meet that goal. Whether or not they will elect to do so in a shorter time period than that, I don't know.

Senator KASTEN. You talked about the controllers. You're not implying, though, that the controllers that are not fully trained are not qualified to do the particular job that they would be doing and working on.

You're suggesting to the committee that what we want to be doing is moving the controllers to higher levels of training, in which they could do all of the different specialties. And because of the lack of training time at O'Hare, or free time in which to train, they can't switch them off of the one job onto the one that they'd be training for?

Mr. BURNETT. That's right. In other words, they're only qualified on a couple of positions. Their utility is very limited.

And therefore, they are not of as much value in trying to meet the scheduling demands that somebody is who is qualified on all positions. The problem is in order to get them qualified on all positions, you have to spring loose some people to train them; and when you've got the kind of demands that that facility has on it, it's difficult to do that.

So it's a Catch-22 proposition for the FAA. And we appreciate the predicament that they're in in that regard.

Now I think we would say that someone who has been trained on all the positions probably has a better mental picture of how the whole system works than someone who has only been trained on one or two.

But in fact, we have to start somewhere. And because we do have an on-the-job training system for tower controllers, as opposed to radar controllers, we do have to rely on that sort of approach, of bringing someone in, training them on a position, beginning to use them, and then gradually training them on more and more positions.

So even though it has some limitations, it's something that we have to use.

Senator KASTEN. Mr. Chairman, thank you.

I might ask, Mr. Chairman, if we could ask on behalf of the Committee that Mr. Burnett reports back to us on the FAA's response to his recommendations when those recommendations are received.

Senator FORD. You don't have any trouble with that request, do you, Mr. Chairman?

Mr. BURNETT. No, not at all, we'd be glad to do that.

Senator KASTEN. Thank you, Mr. Chairman.

Senator FORD. Thank you, Senator Kasten.

In what little knowledge I have of controllers and the problems we face, when we held a hearing recently, I asked one of the controllers how many in his area, in Florida, would transfer to the Northeast or O'Hare. He said he didn't know of anybody that would transfer.

Of course he was living in Florida. And to go from South Florida to Chicago would take an awful lot of incentive.

So even if you had the training personnel, you would not find many that would want to go, based on present problems and cost of living. That presents a problem.

And the burn-out time in both these areas, I guess, is much less than the burn-out time for somebody in a smaller or less intense area.

How could we set up a schedule or recommend a schedule where we could increase it? Because you know when you begin to look at near misses, ground and air, and you look at the problems you have, particularly at O'Hare, and you said comparable areas, how can we set up some kind of schedule?

How could FAA set up some kind of schedule, that once a controller burns out, which may be often four or five years at best, then we move them from there to Lincoln, NE or somewhere, or give them early retirement. I don't know how you would work it out.

We've got to find some way to increase the safety, and the safety through controllers. We're talking about pilots, and we worry about those who are in the cab of the train or the airplane or whatever it might be on drugs and alcohol.

Well, he could be the most efficient individual that you could find. He would never touch alcohol or drugs of any kind. But lo and behold, perhaps he's under the pressure of insufficient help from the tower. Not the individual as such, but the overwhelming responsibility he has.

So that becomes a real, real problem. How do we get around it? Do you have any suggestions? Or do you want to think about it and respond in a letter?

Mr. BURNETT. I probably could expand on it somewhat, above what I'm able to do here.

I think there are possibilities, that the FAA needs to be in a more flexible position as far as its ability to offer incentives to fill positions; and among those could be differences in pay or the assurance that you will not be stuck there forever if you don't want to be; and those are the things that the Chairman has mentioned.

I do think, however, we want to be careful that we do not say, well, accept the fact that this is going to be a high stress position, and therefore we're going to pay people to come in and put up with the high stress, when in fact the stress may affect their performance. And they may be reluctant to admit that because of the fact of the incentives they've been given cause them to try to meet that.

And therefore, the people who get hurt are the travelling public. The way to do it is to control levels of traffic that the controllers have to handle at any given time to the point where it's possible for them to handle that without having undue stress or fatigue.

And that's the safest way to handle it, although it may mean some reductions in the efficiency of a given airport. And we have great problems right now with airport capacity as it is.

Senator FORD. Well, this may not be a good analysis or comparison, but take state police in a given state. They have hazardous duty. They have a little larger contribution, maybe, to the retirement system. But their mandatory retirement is at age 55.

Of course, we're into that now. Most of the states have been able to accommodate or adjust to that because they have to be alert. Those people have all kinds of problems. They're subject to being shot, which is highly stressful.

Now, if at some point, they need to come—we have a lot of desk jobs, you know. We have a lot of administrative personnel. You could do lots of things with someone who might be a lot older, not quite age 55. You can do a lot of moving around and be flexible.

I don't know whether we can accept that under FAA standards or not, or the controller's problems, but I don't think it's insurmountable. Somehow or another, even though there are always the downsides. You remind me a little bit of what Harry Truman said, that he wished he had a one-armed economist, where he's say the economy is going to do this, but on the other hand it might do that.

So we need, I think, where you say there is the downside, we need to look at the downside and look at all possibilities. And I think we see some problems today. If you look at all the possibilities, they may never have happened. But at some point you have to take a chance.

I'm not sure that I'm ready to take that chance yet, but I assure you, Mr. Chairman, I'm ready and willing to look at what possibilities might be available to us.

Mr. BURNETT. I think, Mr. Chairman, that it was Professor Galbraith who said that often public policy choices were between the disastrous and the merely undesireable.

The Board is often faced with that, that the recommendations we make to avoid disaster are in some sense undesirable. And therefore it's hard for us to maintain that position.

I would say that we readily recognize that there are many other professions that may be as stressful, as hard on the individual, as air traffic control. There are not many others in which the consequences of a failure of the person to perform at the optimum levels while under stress—and stress clearly does affect performance—can be as disastrous as with air traffic control.

There are others who have to make split second decisions, but very few who have to make split second decisions that may involve the lives of 500 people at a time.

And our concern is not only because it's hard on those individuals. It's because if they fail, a lot of other people bear the consequences.

Senator FORD. Well, Mr. Chairman, there's also hazardous waste travelling up and down the highways, and if you have an accident, you have to have that stress. You have to make a split second decision on what to do to save. And I hear, well, it's going to be in solids; it doesn't make any difference anyway. The tank can rupture, and don't let the people worry about it.

I can't lay down beside a nuclear generating facility and sleep well at night.

You're mighty nice to be here today, and I look forward to working with you. Hopefully we can give you adequate funding, so you won't have to go out and scratch.

And Mr. Kissinger, I take your comments to heart as it relates to the problems you're faced with. I don't know how soon your supplemental will be here, but I want to be on your side, scratching and clawing to be sure that you get it.

Thank you all very, very much.

(Whereupon, at 10:10 a.m., the subcommittee adjourned.)

[The following information was subsequently received for the record:]

AVIATION ADJUSTING ASSOCIATES,
Mount Vernon, OH February 26,1987.

HON. WENDELL H. FORD,
Chairman, Subcommittee on Aviation, Committeeon Commerce,Science, and Transportation, U.S. Senate, Washington, D.C.

Dear SENATOR FORD: Attached is a Resolution and Petition adopted unanimously by The Organization of Flying Adjusters at its annual meeting in November 1986, addressing a severe problem of our industry in its relations with the NTSB.

Witnesses at the July 22, 1986 Hearing before the Subcommittee on Aviation of the Senate Committee on Commerce, Science, and Transportation submitted oral and written testimony calling for an investigation of NTSB policies and practices. The Organization of Flying Adjusters endorses those requests and petitions for early consideration.

Sincerely yours,

J. T. BORCHES

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